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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS &
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE TEMPORARY
SUSPENSION OF THE LICENSE TO
PRACTICE PODIATRY AND NJ CDS
REGISTRATION OF

JAMES LUDDEN, D.P.M.

License No. 25MD00212700
NJ CDS Registration No. D05670200

Administrative Action

**CONSENT ORDER OF
TEMPORARY SUSPENSION
OF LICENSE and NJ CDS
REGISTRATION**

This matter was opened to the New Jersey State Board of Medical Examiners (the "Board") and Steve C. Lee, Director of the New Jersey Division of Consumer Affairs (the "Director") on or about October 26, 2016, upon receipt of information that James Ludden, D.P.M., New Jersey State Board of Medical Examiners (the "Board") License No. 25MD00212700, NJ CDS Registration No. D05670200 ("Respondent") was engaged in the indiscriminate prescribing of Controlled Dangerous Substances ("CDS") providing the basis for Board action under N.J.S.A. 45:1-21(m) and was engaged in the prescribing of CDS without legitimate medical purpose in violation of N.J.A.C. 13:45H-7.4 which provides basis under N.J.S.A. 24:21-12(a)(3) for the Director to suspend or revoke Respondent's NJ CDS registration.

On or about October 20, 2016, the Enforcement Bureau of the Division of Consumer Affairs (“EB”) conducted an inspection and an investigation of Respondent’s medical office. Through the course of the investigation, it was determined that Respondent had been prescribing CDS without legitimate medical purpose, notably highly addictive narcotics, to his patients. The information provided to the Board and the Director indicates that Respondent authorized prescriptions to thirteen (13) individuals for medications outside the scope of podiatry. These medications include but are not limited to Alprazolam, Eszopiclone, Adderall, Carisoprodol, Testosterone, and Lorazepam. Additionally, Respondent prescribed large quantities of CDS, including Fentanyl, Morphine Sulfate, and Alprazolam, to a patient in his name and his ninety-three year old mother’s name. Respondent admitted that he prescribed medications in the mother’s name as a “favor” to the patient, even though he never examined her. This patient was later found dead in a hotel room at his son’s wedding. The month of the patient’s death, Respondent prescribed 4,125 mcg. of Fentanyl; 120 Dosage units of Morphine Sulfate 30mg; 20 Dosage units of Hydromorphone 2 mg; and 120 Dosage units of Alprazolam.

Respondent having been advised that he may consult legal counsel before signing this interim order, does not admit the conduct alleged, but has expressed his consent to the temporary suspension of his license and NJ CDS Registration pending further order of the Board and the Director.

The Board and the Director, finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown,

IT IS, therefore, on this _____ day of _____, 2016,

ORDERED THAT:

1) The license to practice podiatry in the State of New Jersey, issued to Respondent, James Ludden, D.P.M., License No. 25MD00212700, is hereby temporarily suspended effective immediately, pending further order of the Board.

2) Respondent's New Jersey CDS registration, D05670200, is temporarily suspended pending further order of the Director.

3) Respondent shall immediately return his original New Jersey license and current biennial registration to William V. Roeder, Executive Director, New Jersey State Board of Medical Examiners, P.O. Box 183, Trenton, NJ 08625-0183 and NJ CDS registration to Cathy Collins, Executive Officer, Enforcement Bureau Drug Control Unit, P.O. Box 45022, Newark, New Jersey 07101, and shall immediately cease and desist from prescribing or dispensing medications and from the practice of medicine.

4) Pursuant to N.J.S.A. 24:21-12(f), the Director shall promptly notify the DEA of the entry of this Interim Consent Order.

5) Pursuant to N.J.S.A. 24:21-12(e) the Director further orders that Respondent immediately place under seal all prescription pads and any and all CDS in his possession, except for any CDS Respondent possesses for personal use pursuant to a duly issued prescription. Respondent's prescription pads and CDS shall remain under seal until such time as a final order which includes the disposition of these sealed items is entered by the Director and/or Board in this matter.

6) Respondent understands that this Interim Order is independent of, and not in lieu of, proceedings on behalf or by the DEA and further agrees that resolution of any pending DEA matters will not resolve any matter which has, or could, be brought before the Board or Director. The parties hereby stipulate that entry of this Order is without prejudice to the filing of an Administrative

Complaint and/or further investigation and/or action by this Board, Director or other law enforcement entities resulting from Respondent's conduct. The parties further stipulate that the entry of this Order is without admission of any wrongdoing by Respondent.

7) This order shall remain in effect until specifically modified by the Board and/or the Director through the entry of a subsequent order(s).

8) Respondent may apply to the Board and/or the Director to request a hearing for modification of the terms of this order. If Respondent requests a hearing to modify this Interim Order, the Board and/or Director shall convene a hearing within forty-five (45) days of Respondent's request to determine whether the restraints in the Interim Order should continue under the requirements set forth in N.J.S.A. 45:1-22 and/or N.J.S.A. 24:21-12. The Board and the Director, in their sole discretion, may hold a joint hearing to address both the temporary suspension of Respondent's license and NJ CDS Registration. The Board may hear any application pursuant to this paragraph, either jointly with the Director or on its own, at its next regularly scheduled Board meeting and/or, in its sole discretion, at a specially convened committee meeting of the Board.

9) Respondent has been specifically informed that he may consult an attorney to represent him in this matter. Respondent acknowledges that he has been advised of the ability to consult with counsel and that he chooses to voluntarily enter into this Interim Consent Order.

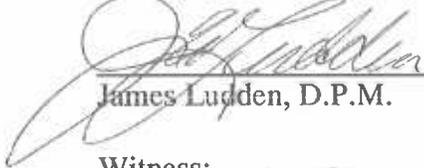
NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: _____
George J. Scott, D.O., D.P.M.
President

NEW JERSEY DIVISION OF CONSUMER AFFAIRS

By: _____
Steve C. Lee,
Director

I have read the within Order, understand its terms and agree to be bound by them. I consent to entry of the Order by the Board of Medical Examiners and the Director of the Division of Consumer Affairs.



James Ludden, D.P.M.

Dated: 10/26/16

Witness:




Print Name

Dated: 10/20/16

Witness:




Print Name

Dated: 10/26/16

Check List
Notice to NJ Licensee
James Ludden, D.P.M.



I have been advised that I may consult with an attorney prior to signing the attached Order.



I have been advised that the investigator who provided the attached Order works for the State of New Jersey and although he/she may be assisting me his/her interests lie with the State.



I have been advised that the attached Order is a civil Order regarding my NJ license to practice as a podiatrist and/or my CDS registration and has no impact on any criminal matter.

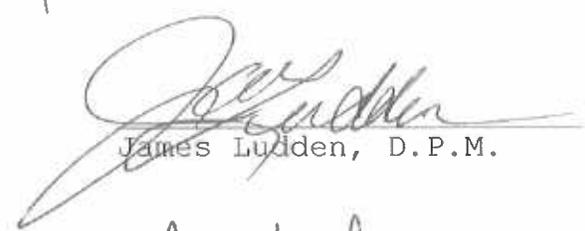


I have been advised that the attached Order is a public disciplinary Order which may be reported to databases and made available upon request.



I have read and understand the attached Order.

No one has coerced me to sign the attached Order, which I have signed of my own free will.


James Ludden, D.P.M.

Dated 10/26/16


Investigator

Dated 10/26/16


Witness

Dated 10/26/2016